

ARTICLE 7

OFF-STREET PARKING AND LOADING, STREETS, WATER AND SEWER, TREE CANOPY, LANDSCAPE AND BUFFER REQUIREMENTS

PART 1

7-100

OFF-STREET PARKING

7-101

Applicability

In all districts, all structures built and all uses established hereafter shall provide accessory off-street parking in accordance with the following regulations. When an existing structure or use is expanded, accessory off-street parking shall be provided in accordance with the following regulations for the area or capacity of such expansion. The provisions of this Part shall not be deemed to apply to motor vehicle storage or display parking areas associated with a vehicle sale, rental and service establishment.

7-102

General Provisions

1. All required off-street parking spaces shall be located on the same lot as the structure or use to which they are accessory or on a lot contiguous thereto which has the same zoning classification and is under the same ownership provided that where there are practical difficulties or if the public safety and/or public convenience would be better served by a location other than on the same lot or a contiguous lot, the Board, acting upon a specific application, may authorize such alternative location subject to the following conditions:
 - A. Such required space shall be located on land in the same ownership as that land on which the use to which such space is accessory or, in the case of the cooperative provision of parking spaces, as provided in Paragraph 3 below, in the ownership of at least one of the participants in the combination, and
 - B. Such required space shall be located within 500 feet walking distance of a building entrance to the use that such space serves.
2. No off-street parking facilities for a structure or use permitted only in a Commercial or Industrial District shall be located in a Residential or Rural District.
3. Required off-street parking spaces may be provided cooperatively for two or more uses, subject to arrangements that will assure the permanent availability of such spaces to the satisfaction of the Board. The amount of such combined space shall equal the sum of the amounts required for the separate uses, provided, however, that the Board may reduce the total number of parking spaces required by strict application of said requirements when it can be determined the same spaces may adequately serve two or more uses by reason of the hours of operation of such uses.

4. In those instances where a proposed neighborhood retail commercial use is located with an orientation toward pedestrian or bicycle traffic, the Board may reduce the number of off-street parking spaces by up to twenty (20) percent of the number otherwise required by the strict application of the provisions of this Part.
5. All required off-street parking spaces and their appurtenant aisles and driveways shall be deemed to be required space on the lot on which the same are situated and shall not be encroached upon or reduced in any manner except upon approval by the Board in accordance with the provisions of this Ordinance.
6. Except as may be qualified elsewhere in this Ordinance, off-street parking spaces that are located on the ground and are open to the sky may be located in any required yard but not nearer to any front lot line than ten (10) feet. Except as may be qualified elsewhere in this Ordinance, parking structures and carports shall be subject to the minimum yard requirements applicable in the zoning district in which located except parking structures that are completely underground may be located in any required yard, but not closer than one (1) foot to any lot line provided that no visible indication of the underground structure including entrances or ventilation stacks shall be located closer than twenty-five (25) feet to any lot line.
7. All off-street parking facilities shall be used solely for the parking of vehicles in operating condition by patrons, occupants or employees of the use to which such parking is accessory. No motor vehicle repair work except emergency service shall be permitted in association with any required off-street parking facilities.
8. All off-street parking space shall be provided with safe and convenient access to a street. If any such space is located contiguous to a street, the street side thereof shall be curbed, and ingress and egress shall be provided only through driveway openings through the curb of such dimension, location and construction as may be approved by the VDOT.
9. All off-street parking areas, including aisles and driveways with a required capacity of four or more vehicles, except those required for a single-family detached dwelling, shall be constructed and maintained with a dustless surface. For preliminary site plans the Director may exempt from this provision off-street parking areas, including their related aisles and driveways, upon a finding that such facilities are for a temporary purpose, or will serve uses which are low or infrequent traffic generators provided, however, that such areas shall be graveled and maintained in accordance with standards approved by the Director. In other cases, including final site plans, the Planning Commission may grant similar exemptions under the same provisions.
10. In no event shall the required dimensions of any off-street parking areas be less than those presented.

11. All lighting fixtures used to illuminate off-street parking areas shall be designed to comply with performance standards relative to glare of the zoning district in which such area is located. Such areas shall not be lighted at any time other than during the same hours that the use to which the parking is appurtenant is open for business, except for necessary security lighting.
12. Parking spaces required on an employee/person basis in the Sections that follow shall be based on the minimum number of employees/persons on duty or residing, or both, on the premises at any one time or the occupancy load of the building, whichever is greater. Overlapping use of parking areas at shift changes shall be considered.
13. Where a given use or building contains a combination of uses as set forth in the following Sections, parking shall be provided on the basis of the sum of the required spaces for each use.
14. If there is uncertainty with respect to the amount of parking spaces required by the provisions of this Ordinance as a result of an indefiniteness as to the proposed use of a building or of land, the maximum requirement for the general type or use that is involved shall govern, except as provided in Subsection 18 of this Section.
15. Where the required number of parking spaces is not set forth for a particular use in the following Sections, and where there is no similar general type of use listed, the Director shall determine the basis of the number of spaces to be provided.
16. In the TH and GA Zoning Districts, the distance from each parking space to the nearest entrance to a public street shall not exceed 300 feet (as measured along the centerline of the appropriate aisle).
17. All special purpose parking and loading spaces shall be clearly marked to indicate their purpose (loading, trucks, etc.). Deceleration lanes, urban cross section frontage improvements and on-site travel lanes (where appropriate) shall be posted "No Parking" in accordance with VDOT regulations.
18. When an applicant can demonstrate through its records, technical studies, shared parking agreements, or other probative evidence, that the parking requirements of this Article are in excess of what is reasonably necessary, the Director shall determine the number of spaces to be provided. Appeals of the Director's decision shall be taken to the Planning Commission which will have the final decision making authority.

7-103

Minimum Required Spaces for Residential and Lodging Uses

Minimum off-street parking spaces accessory to the uses hereinafter designated shall be provided as follows:

1. Dormitory, Fraternity or Sorority House or Other Residence Hall Located Off Campus:

One (1) space per two (2) sleeping accommodation based on the occupancy load of the building, plus one (1) additional space for each house-mother, manager or employee.

2. Dwelling, Single Family Detached:

Two (2) spaces per unit, provided that only one (1) such space must have convenient access to a street.

3. Dwelling, Single Family Attached:

A. Two (2) spaces per unit, provided that only one (1) such space must have convenient access to a street.

B. Plus one (1) space, on or off-street, per each two (2) units for visitors.

C. Plus one (1) per each five (5) units for parking of residents' boats, recreational vehicles, etc. One-half (1/2) of such spaces shall not be less than 12 feet by 30 feet.

4. Dwelling, Multi-Family:

A. Two (2) spaces per unit.

B. Plus one (1) space, on or off-street, per each three (3) units for visitors.

C. Plus one (1) space per each five (5) units for parking of residents' boats, recreational vehicles, etc. One-half (1/2) of such spaces shall be not less than 12 feet by 30 feet.

5. Hotel, Motel:

One (1) space per rental unit, plus such spaces as are required for restaurants, assembly rooms and affiliated facilities as determined by the Director.

6. Mobile Home:

One and one-half (1 1/2) spaces per unit.

7. Nursing or Convalescent Facility:

One (1) space per three (3) residents plus one (1) additional space for each employee.

8. Tourist House, Boarding House, Rooming House:

One (1) space for guest accommodations.

7-104

Minimum Required Spaces for Commercial and Related Uses

Minimum off-street parking spaces accessory to the uses hereinafter designated shall be provided as follows:

1. Automobile Service Station:

Two (2) spaces per bay, plus one (1) space per employee, but never less than five (5) spaces.

2. Bowling Alley:

Four (4) spaces per alley, plus one (1) space per employee, plus such additional spaces as may be required herein for affiliated uses such as restaurants.

3. Business Service and Supply Service Establishments:

One (1) space per 300 square feet of gross floor area.

4. Car Wash:

Four (4) spaces per bay/stall, plus one (1) space per employee for self-service establishment or one (1) space per employee, plus sufficient area for ten (10) stacking spaces per bay/stall for an automated establishment.

5. Eating Establishments:

One (1) space per four (4) seats, plus one (1) space per two employees where seating is at tables, and/or one (1) space per two (2) seats, plus one (1) space per two (2) employees where seating is at a counter.

6. Eating Establishments, Drive-In with No Seating Facilities:

One (1) space per sixty (60) square feet of net floor area with a minimum of ten (10) spaces.

7. Financial Institutions with Drive-In Windows:

One (1) space per 250 square feet of net floor area, plus sufficient area for eight (8) stacking spaces for the first drive-in window and two (2) stacking spaces per each additional window.

8. Financial Institutions:

One (1) space per 250 square feet of net floor area.

9. Furniture or Carpet Store:

One (1) space per 500 square feet of new floor area, plus one (1) space for each employee.

10. Medical or Dental Clinic:

Four (4) spaces per examination or treatment room, plus one (1) space for each doctor and employee.

11. Medical, Dental Practitioner's Office:

Six (6) spaces per practitioner.

12. Office:

Four and one-half (4 1/2) spaces per 1000 square feet of gross floor area, plus one (1) space per company vehicle.

13. Outdoor sales/display area other than Vehicle Sales, Rental and Service Establishments:

One (1) space per 500 square feet of open sales/display area plus one (1) space per employee.

14. Personal Service Establishment:

One (1) space per 200 square feet of gross floor area.

15. Recreational Facility Other Than Theater, Auditorium, Stadium, Bowling Alley or Swimming Pool:

One (1) space per three (3) seats or three (3) persons based on the occupancy load, plus one (1) space per employee.

16. Repair Service Establishment:

One (1) space per 200 square feet of gross floor area.

17. Retail Sales Establishment Except Furniture or Carpet Store:

One (1) space per 200 square feet of net floor area for the first 1000 square feet, plus six (6) spaces per each additional 1000 square feet.

18. Shopping Center:

One (1) space per 200 square feet of gross floor area for the first 1000 square feet, plus six (6) spaces per each additional 1000 square feet, plus additional spaces, as required herein, for associated offices and theaters.

19. Swimming Pool, Commercial:

One (1) space per four (4) persons lawfully permitted in the pool at one time, plus one (1) space per employee.

20. Theater, Auditorium or Stadium:

One (1) space per four (4) seats or similar vantage accommodation provided, plus one (1) space per two (2) employees.

21. Vehicle Sale, Rental and Service Establishments:

One (1) space per 500 square feet of enclosed sale/rental floor area, plus one (1) space per 2500 square feet of open sales/rental display lot area, plus two (2) spaces per service bay, plus one (1) space per employee, but never less than five (5) spaces

22. Wholesale Trade Establishment:

One (1) space per 1.5 employees, plus one (1) space per company vehicle, but with a minimum of one (1) space per 1000 square feet of gross floor area.

23. Convenience Store:

Same as paragraph 17 above, plus for any such store on or within 1000 feet of U.S. Routes 17, 29, 50 and 211, Interstate Route 66, and Virginia Route 28 (except streets designated as Business Routes by the VDOT), space for parking not less than two (2) tractor/semi-trailer units, including adequate entrances and circulation provisions for such vehicles.

7-105

Minimum Required Spaces for Industrial and Related Uses

Minimum off-street parking spaces accessory to the uses hereinafter designated shall be provided as follows:

1. Manufacturing establishment or establishment for production, processing, assembly, compounding, preparation, cleaning, servicing, testing, repair or storage of materials, goods or products, and business offices accessory thereto:

One (1) space per 1.5 employees on major shift, plus one (1) space per company vehicle and piece of mobile equipment.

2. Scientific Research and Development Establishment:

Four and one-half (4 1/2) spaces per five (5) employees based on the occupancy load, plus one (1) space per company vehicle.

3. Warehousing, Heavy Equipment Storage Yard, Lumber and Building Material Yard, Motor Freight Terminal or Junkyard:

One (1) space per 1.5 employees on major shift, plus one (1) space per company vehicle, plus sufficient space to accommodate the largest number of visitors that may be expected at any one time, but with a minimum of one (1) space per 1000 square feet of gross floor area.

7-106

Minimum Required Spaces for Other Uses

Minimum off-street spaces accessory to the uses hereinafter designated shall be provided as follows:

1. Airport, Air Park or Airfield:

One (1) space per employee, plus one (1) space for each vehicle used in connection with the facility, plus sufficient space to accommodate the largest number of vehicles that may be expected at any one time.

2. Ambulance Service or Rescue Squad:

Adequate space to accommodate all motor vehicles operated in connection with such use and two (2) additional parking spaces per each such vehicle.

3. Church, Chapel, Temple, Synagogue or Other Place of Worship:

One (1) space per four (4) seats in the principal place of worship, provided that the number of spaces thus required may be reduced by not more than fifty (50) percent if the place of worship is located within 500 feet of any public parking lot or any commercial parking lot where sufficient spaces are available by permission of the owner(s) without charge during the time of service to make up the additional spaces required.

4. College or University:

Based on a review by the Director of each proposal including such factors as the occupancy load of all classroom facilities, auditoriums and stadiums, the availability of mass transportation and the availability of areas on site that can be used for auxiliary parking in times of peak demand, but in no instance less than one (1) space per faculty and staff member and other full-time employees, plus a sufficient number of spaces to accommodate the anticipated number of students and visitors who will drive to the institution at any one time.

5. Cultural Center, Museum or Similar Facility:

One (1) space per 300 square feet of gross floor area.

6. Country Club:

One (1) space per four (4) members based on maximum anticipated membership.

7. Funeral Chapel, Funeral Home:

One (1) space per four (4) seats in the main chapel or parlor, plus one (1) space per two (2) employees, plus one (1) space for each vehicle used in connection with the business.

8. Group Day Care Facility, Day Care Center, Nursery School, School of General Education or School of Special Education:

Two (2) spaces per each three (3) employees, plus a sufficient number of spaces to accommodate all persons who may be at the establishment at any one time under normal operating conditions.

9. Heliport:

One (1) space per employee, plus one (1) space for each vehicle used in connection with the facility, plus sufficient space to accommodate the largest number of visitors that may be expected at any one time.

10. Helistops:

A minimum of five (5) spaces per commercial helistops and a minimum of two (2) spaces for noncommercial helistops.

11. Hospital:

One (1) space per two (2) beds, plus 1.5 spaces per each emergency room examination table or bed, plus one (1) space per employee on the major shift other than doctors, plus one (1) space per doctor assigned to the staff.

12. Institution Providing Intensive Special Medical/Mental Care or Welfare Institution:

One (1) space per two (2) patients based on the occupancy load, plus one (1) space per employee or staff member on a major shift.

13. Library:

One (1) space per 2.5 patrons based on the occupancy load, plus one (1) space per employee on a major shift.

14. Private, Civic, Fraternal Club or Lodge:

One (1) space per three (3) members based on maximum anticipated membership.

15. Public Utility Establishment:

One (1) space per 1.5 employees on the major shift, plus one (1) space per company vehicle.

16. School, Elementary or Intermediate:

Based on a review by the Director of each proposal including such factors as the occupancy load of all classroom facilities, auditoriums and stadiums, proposed special education programs and student-teacher ratios and the availability of areas on site that can be used for auxiliary parking in times of peak demand, but no less than one (1) space per faculty and staff member and other full-time employee, plus four (4) spaces for visitors.

17. School, Secondary:

Based on a review by the Director of each proposal including such factors as the occupancy load of all classroom facilities, auditoriums and stadiums, proposed special education programs and student-teacher ratios, and the availability of areas on site that can be used for auxiliary parking in times of

peak demand, but no less than one (1) space per faculty and staff member and other full-time employee, plus one (1) space per eight (8) students, based on the maximum number of students attending classes at any one time.

18. Swimming Pool, Community:

One (1) space for every seven (7) persons lawfully permitted in the pool at one time, plus one (1) space per employee, subject to a lesser number determined by the Director in accordance with the number of members who are within a reasonable walking distance of the pool.

19. Tennis Club:

Four (4) spaces per court, plus such additional spaces as may be required herein for affiliated uses such as restaurants.

PART 2

7-200

OFF-STREET LOADING

7-201

Applicability

In all districts, all structures built and all uses established hereafter shall provide accessory off-street loading spaces in accordance with the following regulations. In a PV or PRC District, the provisions of this Part shall have general application as determined by the Director. When an existing structure or use is expanded, accessory off-street loading spaces shall be provided in accordance with the following regulations for the area or capacity of such expansion.

7-202

General Provisions

1. All required off-street loading spaces shall be located on the same lot as the use served, provided that the Director may waive such location requirement in those instances where the provisions of Paragraph 2 are satisfied.
2. Required off-street loading spaces may be provided cooperatively for two or more uses, subject to arrangements that will assure the permanent availability of such spaces to the satisfaction of the Director.
3. All required off-street loading spaces and their appurtenant aisles and driveways shall be deemed to be required space on the lot on which the same are situated and shall not be encroached upon or reduced in any manner except upon approval by the Director in either of the following circumstances:
 - A. Such space may be reduced by the amount to which other space, conforming to the provisions of this Ordinance, is provided for the use that is involved, or
 - B. Such space may be reduced in an amount justified by a reduction in the need for such space by reason of a reduction in size or change in the nature of the use to which such is appurtenant.

4. No loading space or berth shall be located within forty (40) feet of the nearest point of intersection to the edges of the travel-way or the curbs of any two streets.
5. No loading space or berth shall be located in a required front yard, and any loading space or berth located in a required rear yard shall be either underground or open to the sky.
6. No required off-street loading area shall be used to satisfy the space requirement for any off-street parking facilities, and no loading area shall be so located as to interfere with the free circulation of vehicles in any off-street parking area.
7. No motor vehicle repair work, except emergency service, shall be permitted in association with any required off-street loading facility.
8. All off-street loading spaces shall be provided with safe and convenient access to a street. If any such space is located contiguous to a street, the street side thereof shall be curbed and ingress and egress shall be provided only through driveway openings through the curb of such dimension, location and construction as may be approved by the Director in accordance with adopted specifications.
9. All off-street loading areas including aisles and driveways shall be constructed and maintained with a dustless surface.
10. In no event shall the required dimensions be less than fifteen (15) feet wide and fifteen (15) feet high, except that where one (1) such loading space has been provided, any additional loading space lying, alongside, contiguous to and not separated from such first loading space need not be wider than twelve (12) feet. The length of each required space shall be determined by the Director, based on the type(s) of vehicles which can be expected to use such spaces.
11. All lighting fixtures used to illuminate off-street loading areas shall be designed to comply with the performance standards relative to glare of the zoning district in which such area is located.
12. Where a given use or building contains a combination of uses as set forth in the following Sections, loading facilities shall be provided on the basis of the sum of the required spaces for each use.
13. If there is uncertainty with respect to the amount of loading space required by the provisions of this Ordinance as a result of an indefiniteness as to the proposed use of a building or land, the maximum requirements for the general type of use that is involved shall govern.
14. Uses for which off-street loading facilities are required by this Part, but which are located in buildings that have a gross floor area that is less than the minimum above which off-street loading facilities are required shall be provided with adequate receiving facilities as determined by the Director.

15. Notwithstanding the standards set forth in Section 203 below, in no instance shall more than five (5) off-street loading spaces be required for a given use or building except as may be determined by the Director.

7-203

Minimum Required Spaces

Minimum off-street loading spaces accessory to the uses hereinafter designated shall be provided in accordance with the following schedule:

Standard A: One (1) space for the first 5000 square feet of gross floor area, plus one (1) space for each additional 30,000 square feet or major fraction thereof.

Standard B: One (1) space for the first 10,000 square feet of gross floor area, plus one (1) space for each additional 15,000 square feet or major fraction thereof.

Standard C: One (1) space for the first 10,000 square feet of gross floor area, plus one (1) space for each additional 20,000 square feet or major fraction thereof.

Standard D: One (1) space for the first 10,000 square feet of gross floor area, plus one (1) space for each additional 25,000 square feet or major fraction thereof.

Standard E: One (1) space for the first 10,000 square feet of gross floor area, plus one (1) space for each additional 30,000 square feet or major fraction thereof.

Standard F: One (1) space for the first 10,000 square feet of gross floor area, plus one (1) space for each additional 100,000 square feet or major fraction thereof.

Standard G: One (1) space for the first 25,000 square feet of gross floor area, plus one (1) space for each additional 100,000 square feet or major fraction thereof.

1. Bowling Alley and Other Similar Commercial Recreational Establishment: Standard F.
2. Business Service and Supply Establishment: Standard C.
3. College or University: Standard F.
4. Dwelling, Multiple Family: Standard G.
5. Eating Establishment: Standard D.
6. Financial Institutions: Standard C.
7. Funeral Chapel, Funeral Home: Standard F.

8. Hospital: Standard F.
9. Hotel, Motel: Standard F.
10. Manufacturing establishment or establishment for production, processing, assembly, compounding, preparation, cleaning, testing, repair or storage of materials, goods or products, and business offices accessory thereto: Standard A.
11. Nursing or Convalescent Facility: Standard F.
12. Office: Standard C.
13. Personal Service Establishment: Standard B.
14. Repair Service Establishment: Standard C.
15. Retail Sales Establishment: Standard B.
16. School: Standard F.
17. Scientific Research and Development Establishment: Standard C.
18. Vehicle Sale, Rental and Service Establishment: Standard A.
19. Warehousing Establishment: Standard A.
20. Wholesale Trade Establishment: Standard E.

PART 3

7-300

PRIVATE STREETS

7-301

Applicability

Except as qualified in the Subdivision Ordinance, Type I and Type II private streets are permitted in the Commercial and Industrial zones. Private streets are prohibited for residential subdivisions except under the following circumstances:

1. Type I, II and III private streets are permitted in RA, RC and residential zones for administrative subdivisions approved in accordance with paragraph 3-2 of the Subdivision Ordinance and divisions under paragraph 2-39 of the Subdivision Ordinance (i.e. family transfer and large-lot divisions).
2. Private streets are prohibited for all other subdivisions in RA, RC and residential zones unless a special exception is obtained in accordance with the requirements of Section 5-2800 or 5-2900 of this Ordinance.
3. Resubdivision of substandard subdivisions in accordance with 10-205 or 10-206. See 10-205.3 and 10-206.3 for types of permitted private streets.

7-302

Limitations

1. The following limitations shall apply:
 - A. All types:
 1. Private streets within a development shall be limited to those streets which are not required or designed to provide access to adjacent properties or the remainder of the tract being developed, or other streets, as determined by the Commission.
 2. The private street must connect directly to a state maintained street. In reviewing applications for a waiver of this limitation, the Board may consider as an additional factor in granting such waiver the development limitations which are imposed on the subject property because the proposed division is either (1) a family transfer pursuant to §2-39 of the Fauquier County Subdivision Ordinance, or (2) a large lot subdivision pursuant to §2-310 of this Ordinance provided that the parent property is subject to a conservation easement held by a body politic or a political subdivision of the State.
 3. The right-of-way must be a minimum of fifty (50) feet in width.
 4. Streets traversing lots - No private street shall be approved which traverses a lot except along the boundaries of such lot or except where the portions of the lot on either side of the new street satisfy the minimum requirements of this Ordinance for the creation of lots.
 - B. Type II - No private street(s) shall serve more than seven (7) lots.
 - C. Type III - Cannot be zoned Commercial or Industrial.
2. The Board may modify the foregoing limitations in conjunction with a request for a special exception permit, site plan approval or subdivision plan approval provided the applicant can show that no other remedy is realistically feasible, that plausible alternatives have been exhausted, that to not so modify the applicable limitation(s) would place an unreasonable restriction on the use of the property and that properties through which access is planned will not be unreasonably affected.

7-303

Design Standards

1. Types I and II - Such facilities shall be designed to meet minimum applicable requirements as contained in Appendix C of the Code, the Subdivision Ordinance.
2. Type III - none.

7-304

Construction Standards

1. Type I private streets shall be constructed in accordance with approved plans and profiles. A performance bond will be required to ensure proper and complete construction.

2. Type II private streets shall be constructed in accordance with approved plans and profiles, except that the surface treatment is not required and the gravel base may be reduced to four (4) inches in depth and sixteen (16) feet in width. A performance bond will be required to assure proper and complete construction.
3. Type III - None.

7-305

Ingress and Egress Easements

Ingress and Egress Easements for public emergency and maintenance vehicles shall be granted to the County for all private streets within a development. Such easements shall be recorded with the instruments which create the private streets (including Types I, II and III).

7-306

Ownership, Care and Maintenance

In no event shall a Type I or II private street be approved except in strict accordance with the provisions of Part 6 of Article 2, Common Open Space and Common Improvements Regulations. In the case of Type I private streets the required right-of-way to an existing state maintained street shall be owned in fee simple by the homeowners association. Covenants for lots served by Type II private streets shall include provisions precluding further division of such lots. The final plat of any subdivision containing a private street(s) shall have boldly printed thereon and be included as a covenant in each deed for a lot in the subdivision the following statement:

THE PRIVATE STREET IN THIS SUBDIVISION WILL NOT BE PAVED OR MAINTAINED WITH FUNDS OF FAUQUIER COUNTY OR FUNDS ADMINISTERED BY THE VIRGINIA DEPARTMENT OF HIGHWAYS AND TRANSPORTATION. IN THE EVENT THAT OWNERS OF LOTS IN THE SUBDIVISION SUBSEQUENTLY DESIRE THE ADDITION OF SUCH PRIVATE STREETS TO THE SECONDARY SYSTEM OF STATE HIGHWAYS FOR MAINTENANCE, THE COST TO UPGRADE IT TO THE PRESCRIBED STANDARDS MUST BE PROVIDED FROM FUNDS OTHER THAN THOSE ADMINISTERED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION OF FAUQUIER COUNTY. PRIVATE STREETS IN THIS SUBDIVISION ARE NOT DEDICATED FOR PUBLIC USE.

PART 4

7-400

PUBLIC STREETS

7-400

Design and Construction Standards for Public Streets

7-401

Public streets shall be required for all development except as set forth in Section 7-301 above. Such facilities shall be designed and constructed to Type I standards meeting the minimum applicable requirements contained in Appendix C of the Code, the Subdivision Ordinance, and dedicated to public use unless a special exception waiving this requirement is granted in accordance with Section 5-2900.

PART 5

7-500

**PUBLIC WATER AND SEWER AND CENTRAL
WATER SYSTEM REQUIREMENTS**

7-500

**Public Water and Sewer Requirements and Central Water System
Requirements.**

7-501

Public Water Requirements

Public water shall be required for:

1. All residential subdivisions, multifamily or townhouse development of 7 or more lots or units under the following circumstances:
 - A. Within the Bealeton, Marshall, New Baltimore, Opal, Remington and Warrenton and Catlett service districts except in those area designated as non-sewered and/or non-public water growth areas in the Comprehensive Plan.
 - B. Outside service districts in the R-1, R-2, RR-2 and V zones.
2. Commercial or industrially zoned properties located in the following service districts: Marshall
3. These circumstances; however, the requirement for a public water system may be removed by special exception pursuant to Section 5-3100.

7-502

Public Sewer Requirements

1. Except as described herein, public sewer shall be required for all lots and dwelling units located in any service district in which public sewer is available.
2. However, public sewer is not required:
 - a) Within the Catlett, Calverton and Midland Service Districts; or
 - b) In any area of a service district designated as a non-sewered growth area in the Comprehensive Plan.
 - c) In any area where the requirement for public sewer system has been removed by special exception pursuant to Section 3-330 and the general and specific standards contained in Article 5 of this Zoning Ordinance.
3. Public and private central sewer systems shall not be permitted outside of any service district, no permitted inside designated non-sewered areas within service districts of the Comprehensive Plan, except to correct existing health problems on developed lots. For purposes of this subsection the term “sewer system” shall be defined as any sewage disposal system serving two or more lots or dwelling units. Notwithstanding any other provision of this subsection to the contrary multiple use sewage disposal systems may be

authorized outside of service district pursuant to Section 3-320 and the general and specific standards contained in Article 5 of this Zoning Ordinance when necessary to remediate a failed drainfield serving an existing use, which has been certified by the Virginia Health Department to pose a real or potential health threat and multiple use system is the only alternative for repair.

For existing lots with failing drainfields in designated non-sewered areas, within Service Districts of the Comprehensive Plan, the health mitigation priorities order are:

- a) installation of individual alternative systems for each lot;
- b) connection to a public sewer system; and, as a last resort, for clustered failures affecting 15 or more lots;
- c) a community wastewater system that provides advanced wastewater treatment capable of biological nutrient removal designed to the Community Wastewater System Standards, Utility Standards and Rules and Regulations of the Fauquier County Water and Sanitation Authority (WSA) for the specified watershed location. Such community wastewater treatment systems must be owned and operated by the WSA. An amendment to the Comprehensive Plan for any remediation area being connected to a public sewer system or community wastewater system shall be required and limited to the effected developed lots.

7-503

Sewer and Water Facility Design and Construction Requirements

1. All public or central water and/or sewer facilities shall be designed and constructed to meet any applicable requirements of the Virginia Department of Health, Fauquier County Water and Sanitation Authority, the Subdivision Ordinance and this Ordinance.
2. Whenever a public water system is not required, a freestanding central water system shall be designed and constructed to serve all lots within a subdivision of seven or more lots, unless a special exception is obtained in accordance with the terms of Section 5-3100.
3. In subdivisions in the RA and RC zones containing 25 or more lots, the required central water system shall be designed and constructed to provide adequate fire flows as determined by the Virginia Department of Health.

PART 6

7-600

TREE CANOPY, LANDSCAPE AND BUFFER REQUIREMENTS

7-601

Purpose and Intent

1. The Tree preservation and landscaping plans shall be provided as part of the site plan and subdivision plat stages. The section's intent is to improve the appearance of areas reserved for parking, property abutting public rights-of-

way, to require buffering between land use activities, and to protect, preserve and promote the environmental benefits including shade, temperature reduction, air purification, protection of soils, water quality, as well as scenic beauty, character and quality of life within the service districts and villages designated within the comprehensive plan.

2. Landscaping may include plant materials such as trees, shrubs, ground covers, and other materials such as rocks, water, walls, berms and fences.

7-602

General Standards

1. All trees to be planted shall meet the specifications of the American Landscape and Nursery Association.
2. The planting trees shall be done in accordance with either the standardized landscape specifications jointly adopted by the Virginia Nurserymen's Association, the Virginia Society of Landscape Designers, and the Virginia Chapter of the American Society of Landscape Architects, or the road and bridge specifications of the Virginia Department of Transportation. The County shall maintain current copies of these specifications available to the public.
3. The minimum caliper of all deciduous trees planted shall be 2¼ inch, and the minimum height of all evergreen trees shall be six (6) feet.

7-603

Tree Canopy Requirements

1. **Site Planning.** Clearcutting of trees for non-residential and residential projects requiring site plans shall be limited to only those essential areas necessary for required loading, parking, public and private streets, stormwater management facilities, and buildings. Preservation of existing tree stands is a priority, with planting credits provided herein. All Major and Minor site plans shall include the planting and replacement of trees to the extent that, at maturity of twenty (20) years, a minimum tree canopy shall be provided as follows:
 - a. Ten (10) percent tree canopy for properties zoned commercial or industrial in the C-1, C-2, C-3, CV, I-1, I-2, PCID, PRD, PDMU or any subsequent zoning district established with these associated use categories.
 - b. Fifteen (15) percent tree canopy for nonresidential uses allowable in RC, RA, RR-2, V, R-1, R-2, R-3, R-4, TH, GA and MDP districts, as well as for garden apartments (GA), townhouses (TH), manufactured dwelling park (MDP), PRD, PDMU or any other planned unit development including these latter use categories.
2. **Residential Subdivision.** Clearcutting of existing trees for parcels planned for residential development shall be limited to those areas necessary for the planned house pad, yard, drainfields, if applicable, new streets, stormwater management facilities, and recreation areas and associated facilities. The

requirements contained herein apply to residential subdivision proposals not requiring site plans in any zoning district, excluding Administrative and Family Subdivisions.

Unless the property is excluded as described in Paragraph c. below, then a landscape plan shall be included at the Record Plat or construction drawings phase, whichever occurs first. The landscape plan shall provide for the planting or replacement of trees on site to the extent that, at maturity of 20 years, a minimum tree canopy will be provided as follows:

- a. The plan shall provide for the preservation, or planting and replacement of trees on site to result in a tree canopy of at least 15%, calculated at 20 years maturity.
 - b. Special attention is encouraged for plantings at the project entry points and street tree plantings along areas abutting and planned for public street dedication or as private streets. Trees shall be planted at a density of one tree per 50 linear feet along all areas dedicated for use for vehicular access. Such trees shall have a minimum 2¼ inch caliper at planting and a height at maturity of 15 feet or more. Such trees shall be counted toward meeting the minimum canopy requirements.
 - c. The Zoning Administrator may grant a waiver or modification for those parcels eligible under Section 15.2-961 of the Code of Virginia for reasonable exceptions or deviations for reasonable development of farm land or other areas devoid of woody material, preservation of wetlands or when the strict application of the requirements would result in unnecessary or unreasonable hardship to the developer. The Zoning Administrator may attach conditions to any waiver or modification to assure the results of the waiver or modification will be in accord with the intent of this ordinance
3. **Calculation Exclusions.** In calculating the area of a site for the purpose of determining tree canopy coverage requirements, the following areas shall be excluded: areas reserved or dedicated for future street construction or other public improvements; ponds and wetlands which are not wooded; properties reserved or dedicated for schools, playing fields and other non-wooded recreation areas, and other facilities and areas similar in nature.
 4. **Credits for Existing Conditions.** Existing trees can be counted as part of the tree canopy calculation under specific conditions. The number, type and location of trees to be preserved are identified in the landscape plan. The site plan or construction plans also identify the tree to be preserved on site and the methods of protection to be used during site development to assure survival. If the protected trees are part of a wooded preserve, then an easement must be provided with the applicable record plan and/or site plan. Note that trees planted pursuant to the Landscape and Buffering Requirements also qualify toward meeting the tree canopy coverage standards.

Landscape and Buffering Requirements

1. **Landscape Plan.** A landscaping plan, including a building, parking lot landscape and screening plan, shall be submitted as part of every minor and major site plan application. This plan shall be drawn to scale (1"=20'), or other more appropriate scale as approved by the Director, include dimensions and distances, and shall delineate existing and proposed buildings, parking spaces or other vehicle areas, access aisles, driveways, include the applicable tree canopy and planting calculations (e.g., required and provided) and the locations, size and description of all landscaping materials (e.g., tree and shrubs) the installation schedule if materials are to be installed in phases extending beyond 90 days from the date of occupancy of the building or structure to which they are appurtenant.
2. **Bonding.** The landscaping measures, as required by this section, shall be shown on the initial plan and shall be completed or bonded in accordance with the current County policy according to specifications prior to approval of any Certificate of Occupancy.
3. **Planting and Installation Standards.** The following standards shall apply to the planting, installation and maintenance of all trees and shrubs required by the provisions of this ordinance.
 - a. The planting and maintenance of all trees and shrubs shall be done in accordance with the procedures established by the American Landscape and Nursery Association.
 - b. At the time of planting, all deciduous trees shall have a minimum caliper of 2¼ inch dbh, while all evergreen trees shall have a minimum height of 6 feet. Evergreen shrubs shall have a minimum height of thirty inches, while dwarf deciduous shrubs shall have a minimum height of eighteen inches.
 - c. Existing vegetation may and should be used as required planting to provide buffering and screening in accord with the purpose and intent of this ordinance.
 - d. The Board of Supervisors or the Board of Zoning Appeals may require more stringent requirements as part of special exception, special permit, variance, or as part of a rezoning application.
 - e. All landscaping shall permit sight distances consistent with current code requirements of Fauquier County and VDOT.
 - f. When non-residential parking lots, loading areas, alleys, travelways and similar use adjoin land zoned or planned for residential use, there shall be an opaque barrier constructed to provide a separation between the two uses. The objective is to screen cars from offsite view. This referenced separation can be achieved by the provision of a:

- (1) Solid type of fence no less than 6 feet in height. The fence option is encouraged only when space limitations do not allow a landscape option; or
- (2) Berm, serving as a visual barrier, with densely planted shrubs. The berm shall not exceed a slope of 2:1.

g. Interior Parking Lot Landscape Standards.

- (1) Any parking lot, except a single bay parking lot of 20 spaces or less, shall be provided with a landscaped open space along the perimeter of the parking area (s) with the minimum amount of one (1) canopy/deciduous tree per ten (10) spaces. No parking space may be more than 80 feet from a portion of the landscaped open space or a canopy tree.
- (2) The primary landscaping materials used in parking lots will be deciduous/canopy trees. The primary objective is the even distribution of tree planting to encourage and maximize shade. Shrubs and other live planting materials may be used to complement the tree landscaping. Landscape areas between the parking lot and building are not considered interior landscaping.
- (3) Landscaping areas within the parking lot shall be reasonably dispersed and shall have a minimum width of 6 feet, measured from the back of curb. There shall be a curbed landscape island at the end of each row of parking, equal in length to the adjoining parking space (6 feet in width, measured from the back of curb to the back of curb).
- (4) There shall be 1 canopy tree per required landscape island. Where more than one island is combined in a linear configuration, canopy trees shall be provided at a minimum equal to the number of required landscape islands.
- (5) The interior dimensions of any planting area shall be sufficient to protect all landscaping materials; a landscape island shall be protected with a 6 inch curb minimum.
- (6) Areas used principally for the storage of vehicles do not require interior islands if such areas are screened from adjacent properties and public streets in accordance with Section 3.h (1).

h. Property Line Abuts Street Right-of-Way. Except as otherwise stated in this ordinance, a landscaping strip 10 feet in width, exclusive of a required sidewalk or trail, shall be located between the parking lot and right-of-way line. The following requirements will also apply:

- (1) Parking and traffic circulation lanes shall be screened with either berming, landscaping, or a combination of both to a minimum height of 30 inches. Options are presented in h (4). Berming shall not have a slope steeper than 2:1, and the berm must be at least 30 inches higher than the finished elevation of the parking lot.

- (2) All service and loading areas shall be screened from view through the use of dense evergreen tree screen and plant materials.
- (3) All utility equipment (i.e., meters, pedestals, transformers, etc.) not within the screened service area shall have a natural evergreen planting screen provided. Such planting shall be planned and installed so as to not hinder the installation or maintenance of such utility equipment.
- (4) Options.
 - (a) Landscape Strip Option: minimum of 1 canopy tree and 10 shrubs for each 35 linear feet, excluding driveway openings, of land abutting any right-of-way shall be planted in the referenced planting strip, which is 10 feet in width. However, this requirement shall not be construed as requiring the planting of trees on 35-foot centers; flexibility is afforded to the overall project design; or
 - (b) Berm Option: minimum of 1 canopy tree and 5 shrubs per 35 linear feet, excluding driveway openings. The berm must be at least 30 inches higher than the finished grade of the parking lot; berming shall not have a slope steeper than 2:1; or
 - (c) Woodlands Preservation Options: preservation of an existing woodlands strip with a minimum of 35 feet in width. No additional tree or shrub plantings will be required. Must be placed in easement, and the landscape plan must demonstrate techniques to be used for removing underbrush, pruning and to protect the existing trees from any damage during site development.
 - (d) Where the peripheral landscaping required in this Section conflicts with the street planting regulations of VDOT, the more restrictive standards shall apply.

i. Non-Residential Lot Buffer Area Minimum Planting Requirements.

- (1) Buffer Yard Location. Buffer yards will be located along the perimeter of a lot or parcel. Where a parcel extends to the center line of an existing road, the buffer yard shall begin at and extend inward from the ultimate right-of-way of that road alignment. Buffer yards shall extend to the lot line, parcel boundary or rights-of-way line, except where easements, covenants or natural features may require the buffer yard to be set back from the property line, in that event the buffer yard shall be in addition to such easements, covenants or natural features.

Buffer yards shall be provided within the required minimum yard setback areas. If the minimum buffer width is larger than the yard

setback, the minimum buffer width must be provided, with the exception of the parking lot which must meet the requirements identified in 3.g (1)-(6) and h.

- (2) Planting Requirements. Existing trees qualifying as canopy and understory trees can be substituted and meet the stated requirements, as long as they are located within the designated buffer yard area.

Buffer Yard Width

Number of Plants per 100 Linear Feet

- (a) Front Buffer Yard:

Landscaped Option: 20 feet

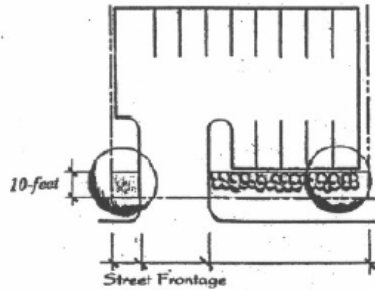
3 Canopy Trees

3 Understory Trees

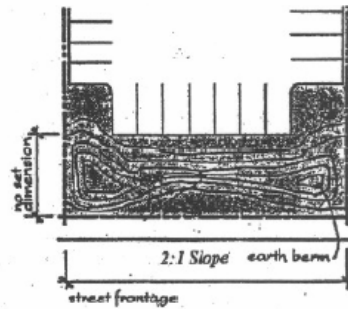
24 Shrubs

Graphic Examples of Options

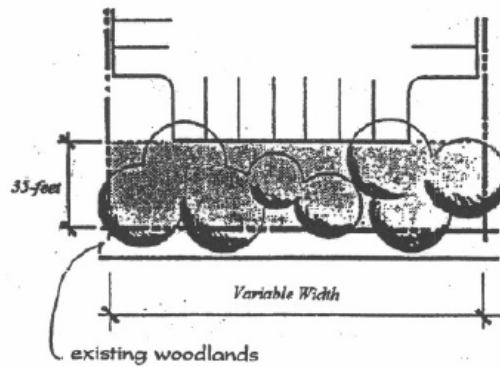
LANDSCAPE STRIP OPTION A
(1 Canopy Tree & 10 Shrubs/35 Linear Feet)



BERM OPTION B
(1 Canopy Tree & 5 Shrubs/35 Linear Feet)



WOODLAND PRESERVATION OPTION C
(Preservation of Existing Trees: No Additional Plantings Required)



Woodland Option: 35 feet	No Additional Plantings Required; Must Comply with Criteria in 3.h.(4)(c)
(b) Rear Buffer Yard: 25 feet	4 Canopy Trees 7 Understory Trees 30 Shrubs (75% must be Evergreens)
(c) Side Buffer Yard: 20 feet	2 Canopy Trees 5 Understory Trees 20 Shrubs
Rear or Side Yard Adjoining Rural or Residential Districts Unless the Property Is Designated for Commercial or Industrial Use in the Comprehensive Plan:	30 Feet Dense Evergreen Tree Screen; or Or Combination Berm 2:1 Slope and Evergreen Tree Screen

- (3) Use of Buffer Yards. A buffer yard can include a sidewalk, bike path, as well as utility easements. The latter easements may be included provided that the utility requirements and buffer yard requirements are compatible and canopy or understory trees are not planted within those easements. Vehicular entrances may cross a buffer yard.

4. **Buffer Yard Waivers and Modifications.**

Buffer yard requirements may be waived or modified by the Zoning Administrator in the following circumstances. The Zoning Administrator may attach conditions to any waiver or modification in order to assure that the results of the waiver or modification will be in accord with the intent of this ordinance.

- a. Where the strict provisions of this section would reduce the usable area of a lot configuration or size to a point which would preclude a reasonable use of the lot, buffer yards may be waived, reduced and/or modified by the Zoning Administrator, upon showing that the building and/or yard has been designed to minimize adverse impact through a combination of architectural, landscape and/or other design techniques; or
- b. The Zoning Administrator may waive, reduce and/or modify buffer yard requirements:

- (1) If the topography of the lot providing the buffer yard and the lot being protected is such that the required buffer yard would not be effective; or
 - (2) For any public use when it has been specifically designed to minimize adverse impacts on adjacent properties; or
 - (3) When a land use is proposed adjacent to a lake, pond, wetland, or other natural area, which is to remain undeveloped, and which is at least 300 feet in width; or
- c. The Zoning Administrator may waive, reduce and/or modify buffer yard requirements in RA and RC districts when, in the opinion of the Zoning Administrator, reasons or factors for employing buffers are not present; or
 - d. In cases where similar uses adjoin each other, the Zoning Administrator may approve a reduction in the buffer requirements between such similar uses. As appropriate and reasonable, the Zoning Administrator may require increased landscaping elsewhere on the site. The increased landscaping shall be focused in areas adjacent to potentially conflicting land uses, if such exist; or
 - e. The Zoning Administrator may waive, reduce and/or modify buffer/landscaping requirements for commercial property where such property abuts recorded open space when, in the opinion of the Zoning Administrator, reasons or factors for employing buffers are not present. However, the Zoning Administrator shall not make any decision under this subsection until twenty-one days after written notice to all adjoining property owners of the open space advising them of the request to reduce and/or modify such buffer/landscaping requirements. As appropriate and reasonable, the Zoning Administrator may require increased landscaping elsewhere on the site.

5. Maintenance.

The owner, or his agent, shall be responsible for the maintenance, repair and replacement of all required landscape materials, screening and buffering as may be required by the provisions of this section. All plant material shall be tended and maintained in a healthy growing condition, replaced when necessary and kept free of refuse and debris. Fences shall be maintained in good repair. Openings within the barriers may be required by the Zoning Administrator for accessibility to an area for necessary maintenance.

6. Appeals.

Any person aggrieved by a decision of the Zoning Administrator may appeal such decision before the Board of Zoning Appeals pursuant to the provisions of Section 13-300.